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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/004,151      | 11/02/2001  | Michael A. Jones     | 5217.61003          | 8529             |

34282 7590 02/05/2007  
QUARLES & BRADY LLP  
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| EXAMINER |
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LU, JIPING

|          |              |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

3749

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE  | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS                               | 02/05/2007 | PAPER         |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/004,151

Applicant(s)

JONES, MICHAEL A.

Examiner

Jiping Lu

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 4/20/04, 5/27/04, 1/25/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 is/are allowed.
- 6) ☒ Claim(s) 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 25-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Touborg (U. S. Pat. 4,025,295).

Touborg discloses a calcinations plant for a particulate feed material (see Fig. 7) comprising a substantially vertical calcinations reactor 3 having a bottom portion 2, means 4,6 for effecting transport of the particulate feed material through said calcinations reactor along a substantially cyclonic flow path (see Figs. 3-6) and means 7 for creating a heat source within said cyclonic flow path, said effecting means comprising means 6 for introducing the particulate material into said calcinations reactor 3 substantially tangentially of said bottom portion and said cyclonic flow path extending upwards from said bottom portion (see Figs. 3, 5 and col. 6, lines 60-64, col. 7, lines 6-12), said creating means 7 being mounted in said bottom portion 2 and comprises a burner 7.

3. Claims 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kluonage (U. S. Pat. 3,584,848).

Kluonage discloses a calcinations plant for a particulate feed material (see Fig. 1) comprising a substantially vertical calcinations reactor 38 having a bottom portion 42, means

Art Unit: 3749

30,32 for effecting transport of the particulate feed material through said calcinations reactor along a substantially cyclonic flow path (col. 3, lines 11-31 and Figs. 2-3) and means 26 for creating a heat source within said cyclonic flow path, said effecting means comprising means 30, 32 for introducing the particulate material into said calcinations reactor 38 substantially tangentially of said bottom portion and said cyclonic flow path extending upwards from said bottom portion (see Figs. 2-3, and col. 3, lines 11-31, col. 4, line 63 to col. 5, col. 5) said creating means 26 being mounted in said bottom portion 42 and comprises a burner26.

#### *Allowable Subject Matter*

4. Claims 1-19 are allowed.
5. Claim 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

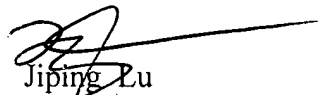
#### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, COCKS JOSIAH can be reached on 571 272-4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3749

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jiping Lu  
Primary Examiner  
Art Unit 3749

J. L.